

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

CHRISTOPHER GOLDEN

PLAINTIFF

V.

CIVIL ACTION NO. 5:08cv156-MTP

GABRIEL WALKER, *et al.*

DEFENDANTS

consolidated with

CHRISTOPHER GOLDEN

PLAINTIFF

V.

CIVIL ACTION NO. 5:08CV292-MTP

CHRISTOPHER EPPS, *et al.*

DEFENDANTS

ORDER SETTING PRE-TRIAL CONFERENCE

This matter is before the court *sua sponte* for case management purposes. On June 3, 2009, the court entered a Memorandum Opinion and Order [54] granting Defendants' Motion for Summary Judgment, and on October 21, 2009, the court entered a Memorandum Opinion and Order [74] dismissing Plaintiff's claims against Defendants in Civil Action No. 5:08cv292.

Accordingly, the court finds that this matter is ready to proceed to trial on the remaining claims.¹

IT IS THEREFORE ORDERED:

1. The pre-trial conference is set for April 27, 2010, at 1:30 p.m. before the undersigned at **United States Courthouse, 109 South Pearl Street, Natchez, Mississippi.**

2. As the parties have already submitted exhibit and witness lists in advance of the

¹ As set forth in the Court's Memorandum Opinion and Order [54], the only remaining claims pending before the court are Plaintiff's claims of excessive force against Defendants in their individual capacities, arising out of the alleged assault that occurred on or about November 9, 2007.

pre-trial conference previously held in this matter on August 17, 2009, and as the court has already entered an Order [62] regarding which documents and testimony could be offered at trial, the parties are not required to submit a Pretrial Order or make other submissions prior to the pre-trial conference.

3. Defendants are required to have either available by telephone or present at the pre-trial conference a client representative with full settlement authority.

4. The court will have standard jury instructions available for the parties to review at the pre-trial conference. If the parties desire to submit any additional jury instructions, they shall do so on or before May 11, 2010.

5. At the pre-trial conference, the court will discuss possible trial dates with the parties.

6. As Plaintiff is scheduled to be released from MDOC custody on April 16, 2010, prior to the pre-trial conference, he will be responsible for providing his own transportation to the pre-trial conference.²

7. Plaintiff's failure to advise this court of a change of address or failure to comply with any order of this court will be deemed as a purposeful delay and may be grounds for dismissal of this case without further notice to Plaintiff.

SO ORDERED, this the 30th day of March, 2010

s/ Michael T. Parker
United States Magistrate Judge

² In the event that Plaintiff's release date is moved back or he is in MDOC custody on April 27, 2010, the court will order the clerk to issue a writ of habeas corpus *ad testificandum* for Plaintiff to attend the pre-trial conference in Natchez at the date and time set forth above.